

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:05CR3039
)	4:05CR3091
v.)	
)	
THOMAS E. MILLER,)	
)	MEMORANDUM AND ORDER
Defendant.)	
)	

A pretrial conference pursuant to F. R. Crim P. 17.1 was held with the parties by telephone conference call on this date. Plaintiff was represented by Steven A. Russell, Assistant United States Attorney; defendant appeared pro se, and defendant's advisory standby counsel Leonard Vyhnaelek also was included on the call. The purpose of the conference was to find out how the discovery was progressing and to make plans for further progression of both cases. All agreed that additional time is necessary to enable defendant to analyze the voluminous discovery, and that the court should hold a pretrial conference in chambers in June in order to schedule the remaining pretrial stages of the cases and to set both cases for trial.

In addition, the court advised that at the last courtroom hearing a person left a large envelope of materials on the bench prior to the hearing. The court, however, did not open the envelope until the evening before the telephone conference. Having now seen the contents, the court advised defendant that all future communications with the court should also be sent to counsel for the government as well as to standby counsel. Copies of this particular communication will be provided to them by the court.

IT THEREFORE HEREBY IS ORDERED:

1. A pretrial conference in each case will be held in the chambers of the undersigned on June 22, 2006, as follows:

11:00 a.m. Conference in 4:05CR3039

1:30 p.m. Conference in 4:05CR3091

Defendant and standby counsel shall be present.

2. Defendant shall not communicate with the court except only with opposing counsel present or with copies of any written communication being given to opposing counsel and standby counsel.

DATED March 14, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge